

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
HERMAN J. ROCHE,  
  
Defendant.

CASE NO. CR12-0237-JCC-1

ORDER

This matter comes before the Court on Defendant Herman Roche's motion to modify the conditions of his supervised release (Dkt. No. 1297).

In 2013, Mr. Roche pleaded guilty to conspiracy to distribute controlled substances and conspiracy to engage in money laundering. (Dkt. Nos. 637, 640, 683.) In 2014, the Court imposed a sentence of 144 months of confinement followed by three years of supervised release. (Dkt. Nos. 750, 751.) On December 18, 2020, the Court granted Mr. Roche's request for a compassionate release, reducing his term of custody to time served and imposing an additional term of supervised release commensurate with the balance of Mr. Roche's remaining term of imprisonment. (Dkt. No. 1228.) His term of supervised release commenced on December 31, 2022. (Dkt. No. 1251 at 1.)

Mr. Roche now moves to modify his conditions of supervision to eliminate the requirement

1 that he be tested for marijuana use so that he may use it for pain management in lieu of prescription  
2 opiates—the drug involved in his underlying offense. (Dkt. Nos. 640 at 5–6, 1297 at 1, 3.)

3 While the Court is sympathetic to Mr. Roche’s issues with debilitating back pain, the use  
4 of marijuana and its derivatives is still illegal under federal law. *See* 21 U.S.C. §§ 812(a),  
5 (b)(1)(B)–(C), (c)(10), 823(f), 844. The Court therefore finds that a modification of this  
6 condition is not warranted at this time and DENIES Mr. Roche’s motion (Dkt. No. 1297).

7 DATED this 8th day of July 2022.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE